

Change of Use of a Public House (Sui Generis) to a Residential Dwelling (C3) with ancillary B&B outbuilding at The Twelve Bells 12 Lewis Lane Cirencester Gloucestershire GL7 1EA

Full Application 25/03700/FUL	
Applicant:	Mr Hywel James
Agent:	McLoughlin Planning
Case Officer:	Amy Hill
Ward Member(s):	Councillor Joe Harris
Committee Date:	8 April 2026
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Principle of Development
- (b) Impact on Heritage Assets
- (c) Impact on Residential Amenity
- (d) Highways Safety
- (e) Biodiversity and Geodiversity

2. Reasons for Referral:

2.1 Cllr Harris requested that the application be considered by the Review Panel for referral to the Planning & Licensing Committee, for the following reason(s):

1. Loss of a community facility and impact on sustainable communities

1.1 The proposal would result in the loss of a public house a community facility which historically served local residents. Under the NPPF, delivery of healthy, inclusive and safe places includes planning positively for community facilities, to support social interaction and maintain the "vitality of town centres."

1.2 The Local Plan provides the overarching framework for development, including the need to safeguard local social infrastructure where appropriate.

1.3 The conversion to residential (plus B&B outbuilding) represents a permanent loss of that facility. Given the limited availability or absence of comparable alternative community uses nearby, this change may undermine social cohesion, reduce community vitality and erode long-term local amenity.

1.4 *This is a material planning concern and requires careful committee-level scrutiny.*

2. Historic environment / heritage and character of place

2.1 *The Local Plan (and, by implication, any neighbourhood / conservation area context within Cirencester) affords protection to the historic environment and seeks to ensure that alterations, conversions or changes of use respect the character, scale, and appearance of heritage assets and their settings.*

2.2 *Under the NPPF (Chapter on "Conserving and enhancing the historic environment"), proposals affecting heritage assets should conserve and enhance their significance, while any change of use must be weighed carefully: the setting, appearance, and communal value are part of what gives heritage assets their significance.*

2.3 *This proposal raises fundamental questions about whether converting a community pub into a dwelling plus ancillary B&B outbuilding would preserve or instead erode the building's communal and historic value, local character, and sense of place. Given this, the decision merits full committee oversight including a full assessment of heritage, design, materials, scale, layout, and impact on neighbouring properties.*

3. Precedent and cumulative loss of community facilities

3.1 *The Local Plan does not explicitly guarantee that every existing pub or community facility will be retained; however, planning decisions must be made with awareness of cumulative impacts across the District. The loss of one public house is not just a site-specific issue: if permitted without robust justification, this decision could set a precedent for further loss of community serving premises, particularly in smaller settlements or town centres.*

3.2 *The NPPF emphasises the social dimension of sustainable development including supporting strong, vibrant and healthy communities, through planning for social, recreational and cultural facilities and services the community needs.*

3.3 *Given the scarcity of comparable community uses (particularly in historic central Cirencester), and given that this proposal would convert to private and possibly commercial (B&B) use rather than a public, community-served use, the cumulative risk to community infrastructure and long-term local amenity warrants committee level scrutiny.'*

4. Principle of sustainable development, balanced against wider public interest

4.1 The NPPF sets a presumption in favour of sustainable development, but this must be weighed against potential harm: including harm to community facilities and heritage assets, and to the social fabric of the area. The Local Plan embodies a spatial vision and strategy for the District: while the Council must meet housing needs, it must also ensure that development is sustainable socially, environmentally and in terms of place-making.

4.2 Converting a public house into a dwelling may deliver a small housing benefit; however, that benefit must be balanced against the permanent loss of infrastructure and possible harm to heritage, local character, and social cohesion. That balance and whether "public benefits" outweigh "public dis-benefits" is finely balanced and properly a matter for Committee determination.'

Outcome:

- 2.2 The Review Panel agreed the request for the application to be considered at the Planning and Licensing Committee, as it is necessary to consider and balance the loss of a community asset and heritage impacts against the public benefits of the development.

3. Site Description:

- 3.1 This application relates to The Twelve Bells Public House, located along Lewis Lane within the Principal Settlement of Cirencester. The Twelve Bells Public House is a Grade II listed designated heritage asset dating from the early 18th Century. The public house is a 2-storey building constructed in traditional coursed squared limestone rubble with a traditional stone slate roof.
- 3.2 The application site is located within Cirencester's Development Boundary and just outside Cirencester's Central Area, as defined by the adopted Local Plan Policies Map. The site is located within the Cirencester South Conservation Area. The southern section of the site is within the Corinium Roman Town Scheduled Ancient Monument area.

4. Relevant Planning History:

- 4.1 10/01793/FUL - Erection of single storey rear extension: Permitted 28/06/2010;
- 4.2 10/01792/LBC - Demolition of rear/side lean to, replacement and repair of windows, re-roofing of part of roof and construction of new lean-to extension to side/rear to provide replacement toilets: Permitted 28/06/2010;

- 4.3 11/02635/FUL & 11/02636/LBC - Erection of a lean-to store: Permitted 10/08/2011;
- 4.4 11/04846/FUL & 11/04847/LBC - Timber housing to conceal a cellar chiller: Permitted 17/01/2012;
- 4.5 19/00336/FUL & 19/00337/LBC- Conversion of existing store to bed and breakfast room, construction of a new single storey building also to be used as a bed and breakfast room: Permitted 26/03/2019;
- 4.6 19/01461/FUL & 19/01462/LBC - Conversion and extension to existing store to form one B&B unit (Resubmission of 19/00336/FUL - Conversion of existing store to bed and breakfast room, construction of a new single storey building also to be used as a bed and breakfast room): Permitted 04/06/2019.

5. Planning Policies:

- CDCLP CDC LOCAL PLAN 2011-2031
- TNPPF The National Planning Policy Framework
- DS1 Development Strategy
- DS2 Dev within Development Boundaries
- S3 S3 - Cirencester Central Area
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN8 Bio & Geo: Features Habitats & Species
- EN10 HE: Designated Heritage Assets
- EN11 HE: DHA - Conservation Areas
- EN13 HE: Conv'n of non-domestic historic bldgs
- EN14 Managing Flood Risk
- EN15 Pollution & Contaminated Land
- EC7 Retail
- EC8 MainTown Centre Uses
- INF2 Social & Community Infrastructure
- INF3 Sustainable Transport
- INF4 Highway Safety
- INF5 Parking Provision

6. Observations of Consultees:

- 6.1 Historic England: No objections raised (given no ground works)
- 6.2 Conservation Officer: Objection

7. View of Town/Parish Council:

7.1 Cirencester Town Council:

'7.1.1 The proposed development would result in the permanent loss of a public house, which is a vital community facility. Para 98 of the NPPF states that planning decisions should "plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments" and "guard against the unnecessary loss of valued facilities and services ..."

7.1.2 Local Plan Policy 11.2 - Social and Community Infrastructure similarly seeks to retain such facilities "The provision and location of these facilities and services play an important role in encouraging and maintaining a sense of community and well-being" unless it can be demonstrated that they are no longer viable. No robust evidence has been provided to show that the public house is unviable or that all reasonable efforts have been made to retain it.

7.1.3 The proposal is contrary to the Local Plan's objectives to maintain mixed-use areas and support local services. Para 98 of the NPPF sets out social, recreational and cultural facilities and services the community needs and removing a public house undermines the social role by reducing opportunities for social interaction and community cohesion.

7.1.4 As the building is listed Grade II and in the Cirencester South Conservation Area, the proposed change of use could harm its historic significance and para 213 of the NPPF requires great weight to be given to the conservation of heritage assets.

7.1.5 The importance of public houses is also identified in the Cirencester Neighbourhood Plan (paras 1.68.7, 12.6, 12.45 and 4.6) for their educational and socialising value and 'The Twelve Bells' is specifically listed as a public meeting space.

7.1.6 Cirencester Town Council objects to the proposed change of use on the grounds outlined above, as it would result in the unjustified loss of a valued community facility and harm local character.'

8. Other Representations:

8.1 154 third party representations have been received, objecting to the application on the grounds of:

- i. Loss of a long-established community asset
- ii. Positively contributes to the town's cultural, economic, and social wellbeing
- iii. Loss would diminish the vitality of the community
- iv. Concerns property was purchased to convert to a dwellinghouse, with previous owners (and neighbours) misled about proposal to run as a pub
- v. Due to purchase locals deprived of opportunity to buy/operate as a community asset
- vi. Pub considered likely to be viable (or potentially so if owners (or another owner) tried to run as a pub)
- vii. Fails to demonstrate all reasonable efforts were made to sustain the pub's operation (or as a similar community/social space)
- viii. Initial asking price was too high and it was not offered at the lower price for a prolonged period of time or through a specialist licensed property agent.
- ix. No independent valuation has been provided
- x. Precedent for the conversion of other pubs
- xi. Increased demand due to increase in housing
- xii. Recent pub trading figures nationally are promising
- xiii. Difficulties with staffing and operating model are not insurmountable
- xiv. Confusion over Conservation Officer's comments

8.2 1 third party representations have been received, raising general comments on the application on the grounds of:

"The twelve bells lies away from the main high street and is a historic part of the town. It is a pub that is highly valued by locals and the more inquisitive visitors to the town. A valuable asset like this should be turned into a dwelling as these are already in plentiful supply in the town"

8.3 1 third party representations have been received, supporting the application on the grounds of:

- i. Pub likely to viable
- ii. No reason not to turn this building into housing

9. Applicant's Supporting Information:

- Planning and Heritage Statement dated November 2025
- Letters from estate agents

10. Officer's Assessment:

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*
- 10.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031. The Town Council has referred to Cirencester Neighbourhood Plan; however, this is currently at Regulation 16 stage and has not yet been adopted (Made).
- 10.3 The policies and guidance within the National Planning Policy Framework (NPPF) are also a material planning consideration.
- 10.4 In addition to the above, it is noted that the Government published a draft version of the NPPF on the 16th December 2025. The consultation period for the aforementioned document expired on the 10th March 2026 and it is anticipated that a final version of the NPPF will be released in Summer 2026. Whilst the draft NPPF is a consultation document, it is considered that the proposed policies within it are a material consideration and must be given a degree of weight at the present time.

Background and Proposed Development

- 10.5 The application seeks consent for the conversion of the existing public house and B&B accommodation into a dwellinghouse with B&B accommodation. The first and second floor operate as a 'managers' flat, with the commercial use limited to the ground floor. The only physical operation noted with the planning statement relates to the signage; however, listed building consent has not been applied for regarding the removal of this. It is considered that the sign's removal would require listed building consent rather than planning permission.

(a) Principle of Development

Housing

10.6 The application site lies within the town of Cirencester, a Principal Settlement as set out within the Cotswold District Local Plan. The site lies within the town's development boundary and as such, Local Plan Policy DS2 is of relevance. Policy DS2 states:

'Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle.'

10.7 The residential development of the site is therefore considered to be permissible in principle.

10.8 The Local Planning Authority also has to have regard to policies in the NPPF when reaching a decision. The NPPF represents a significant material consideration. Of particular note, the December 2024 update of the NPPF introduced a new standard method for calculating local housing need. Prior to the December changes to the NPPF, the Council could demonstrate a 7.3 year supply of housing land. The new standard method means that the Council has to deliver 1036 homes per annum as opposed to the 504 homes per annum requirement that existed prior to the December 2024 update. Moreover, the aforementioned update to the NPPF removed the wording in the document that enabled previous over-supply to be set against upcoming supply. The residual requirement for the remainder of the Local Plan period would have been 265 dwellings per annum (based on the Housing Land Supply Report August 2023) prior to the changes in December. The December changes to the NPPF therefore result in the Council having to deliver a far higher number of dwellings than that required prior to December 2024. As the supply figure is now under 5 years, it is necessary to have regard to paragraph 11 of the NPPF, which states:

'11. Plans and decisions should apply a presumption in favour of sustainable development.'

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'

- 10.9 Footnote 8 of the NPPF advises that '*out-of-date*' for the purposes of paragraph 11 includes '*for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78): or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirements over the previous three years.'* In light of this guidance, it is considered that Local Plan Policy DS4 is out-of-date at the present time and that paragraph 11 is engaged in such circumstances.
- 10.10 Footnote 7 of the NPPF advises that, with regard to sub-section d) i. above, an area or asset of particular importance would include designated heritage assets (including conservation area, listed buildings and SAMs) and habitat sites.
- 10.11 In the case of this proposal, it is considered that both criteria d i) and ii) are applicable. With regard to criteria i) it is therefore necessary to consider whether the impact on the listed building, Cirencester South Conservation Area or impact on the Beechwood Special Area of Conservation (SAC) would provide a strong reason for refusing the development proposed. With regard to criteria ii) consideration will be given to weigh the benefits arising from the scheme, such as the delivery of housing, against the adverse impacts of the proposal, such as the loss of social and community infrastructure. These aspects shall be discussed in the sections below.

Loss of the Public House

- 10.12 Cotswold District Local Plan Policy S3: Cirencester Central Area sets out the strategy for Cirencester Town Centre, including future retail provision, mixes of uses in the primary and secondary frontages, and parking provision.
- 10.13 In accordance with the requirements of Local Plan Policy S3, development within Cirencester's Central Area, the extent of which is indicated on Policies

Map Inset 2, will be permitted, in principle, where it is consistent with the Cirencester Central Area Strategy. It is apparent from the wording of Policy S3 and its explanatory text that the policy is focussed on conserving the town's rich historic environment while, at the same time, promoting: a greater provision and improved use of off-street public parking areas, possible future redevelopment of one; the creation of a public transport hub; and the rich and varied cultural, tourist and retail opportunities within the 'Town Centre' limits. At paragraph 7.4.14 the Strategy also recognises the difficulty for modern retail requirements to be accommodated within historic buildings and the importance of securing viable uses for them.

10.14 Policy EC8 relates to Main Town Centre Uses which, in accordance with the definition contained in the NPPF, includes bars, pubs and hotels. The aim of the policy is to concentrate the Main Town Centre uses within the Town Centre Boundary. The application site is outside of the Town Centre Boundary and as such the use of the site as a Public House with holiday accommodation is not protected in relation to this policy.

10.15 Local Plan Policy INF2 relates to proposals for, and resulting in the loss of, community facilities. The policy states that:

'2. Planning permission for development which results in the loss of a local community facility or service, including an open space, will be permitted provided:

a. it is demonstrated that there is no local demand for the facility or service, or demand for an appropriate, alternative local community use for the facility; or

b. replacement facilities or services are provided in an appropriate alternative location having regard to the requirements of Clause 1 above.'

10.16 The supporting text for Policy INF2 outlines that *'The purpose of this policy is to make sure that as communities grow, supporting infrastructure can correspondingly grow or change whilst maintaining provision at an appropriate level.'* Of particular note, the supporting text outlines that:

'11.2.10 Evidence should be provided to show that there is no local need for an existing community facility, such as a public house or shop, by demonstrating that it has not been viable in that use for a period of at least 12 months. Having regard to loss of other facilities it should be shown that there has been a material change in circumstances affecting on-going viability - for example the permanent withdrawal of funding.'

10.17 Supporting text also advised:

'1.2.1 Most services and facilities in Cotswold District (referred to below) are concentrated within the 17 Principal Settlements. It is recognised that smaller scale services and facilities in local neighbourhoods and villages are vital to many residents for social, economic and environmental reasons.'

10.18 Paragraph 98 of the NPPF also advises that:

'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'

10.19 The current proposal would result in the loss of the public house, converting main building to a private residential use. Nevertheless, the supporting text recognises that facilities in local neighbourhoods and villages are vital as they are vital to many residents for social, economic and environmental reasons. It is taken that the primary purpose of this was to help protect public houses (and such) in smaller settlements, or where there was not alternative provision. This is not the case for the current application, with multiple other public houses and alternative gathering places for the local community within walking distance of the site.

10.20 Notwithstanding this, it is considered that criterion 2 of Policy INF2 is relevant. Information has been submitted with regard to attempts to sell the property, as

detailed below, rather than the viability of the pub. Indeed, in the sales particulars, it is noted that this was indicated the net profit was in excess of £100,000 a year. However, despite this, a sale was not successful.

- 10.21 The information provided indicates that the property was offered for sale in March 2023 with Christie & co at £750,000, reducing to £725,000 in August. It was advised this resulted in 2 viewings but no offers. It was then re-listed with Fleurets (leisure property specialists) at £630,000 reducing to £605,000 in April 2024, with 2 move viewings but no offers. Then moved to Moore Allen, at £575,000 with viewings from individuals interested in converting the pub to a dwellinghouse. The level of information submitted with this in regard to the valuation is limited; however, the lack of interest is clear, with no low offers made and otherwise rejected.
- 10.22 Whilst the agent considered criterion b of Policy INF2, clause 2 relevant, this relates to replacement facilities, rather than alternative. However, only criterion a or b (rather than both) require compliance with. This said, there are a number of pubs, food and drink establishments, within the town centre of Cirencester within a 10-minute walking distance of the site. As such, the alternative facilities are noted and as such, there are facilities available to the local community.
- 10.23 While the level of information submitted in relation to the valuation of the public house and detail of the attempts to sell the property are limited, with very limited interest for over a year are sufficient to demonstrate that the public house is no longer of realistic commercial interest. Whilst the level of comments submitted in objection to the application belies the agent's assertion over a lack of local demand, there has been no evidence that this local demand has led to organised efforts to secure the pub as an ongoing concern for the community facility. It is not evident that an application to list the pub as a Community Asset has been received under the 'Right to Bid', nor is there evidence that the community has attempted to purchase the site as a community pub. INF2 is of some relevance; however, its main purpose is considered to ensure that there are community facilities to serve day-to-day needs, rather than to require certain uses to remain operational even when there are multiple other options available. The application site is located close to town centre and given the number and variety of other options available within walking distance of the site, the community would continue to be served by similar facilities.
- 10.24 Furthermore, Local Plan Policy EC8 does not apply to the site. As such, the change of use of the public house to residential is considered acceptable in principle.

(b) Impact on Heritage Assets

- 10.25 The site is a Grade II listed building dating to the early to mid-18th century (HER ref. 30194). It appears on mapping of 1835. The site is also located within the Cirencester South Conservation Area.
- 10.26 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.27 The site lies within the Cirencester South Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 10.28 Considerable weight and importance must be given to the aforementioned legislation.
- 10.29 Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment.
- 10.30 Local Plan Policy EN2 states that '*Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.*'
- 10.31 Local Plan Policy EN10 states:

'1 In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.

2 Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.

3 Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing

justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:

- *The importance of the asset;*
- *The scale of harm; and*
- *The nature and level of the public benefit of the proposal.'*

10.32 Local Plan Policy EN11 Designated Heritage Assets - Conservation Areas states:

'Development proposals, including demolition, that would affect Conservation Areas and their settings, will be permitted provided they:

a. Preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features;

b. Include hard and soft landscape proposals, where appropriate, that respect the character and appearance of the Conservation Area;

c. Will not result in the loss of open spaces, including garden areas and village greens, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area.

d. Have regard to the relevant Conservation Area appraisal (where available); and

e. do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.'

10.33 Local Plan Policy EN13 Historic Environment: The Conversion of Non-Domestic Historic Buildings (Designated and Non-Designated Heritage Assets) states that:

'Proposals for the conversion of non-domestic historic buildings to alternative uses will be permitted where it can be demonstrated that:

a. the conversion would secure the future of a heritage asset, and/or its setting, which would otherwise be at risk;

b. the proposed conversion would conserve the significance of the asset (including its form, features, character and setting);

c. the heritage asset is structurally sound; and

d. the heritage asset is suitable for, and capable of, conversion to the proposed use without substantial alteration, extension or rebuilding which would be tantamount to the erection of a new building'

10.34 Section 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 210 states that Local Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 212 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 states that any harm to or loss of significance, through alteration or development within the asset's setting should require clear and convincing justification. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

10.35 No building works are proposed, and as such, whilst the site is partially on a Scheduled Ancient Monument, it is considered that neither the setting of the SAM nor any associated archaeological would be affected by the proposal.

10.36 The Conservation Officer has objected to the proposal and has advised that *"the loss of the public house facility this would be of concern, the public house contributes to the vibrancy of the area. Historic England notes that public houses are "the best-known and best-loved building types - the public house or 'pub'". They are increasing under threat from demolition and change of use and as such are important features within our local communities. The building is of historic and architectural significance and is prominent in the street scene and makes a positive contribution to the character and appearance of the conservation area."*

10.37 No physical alterations are proposed as part of the application, noting that while the removal of the sign is noted in the planning statement no plans have

been provided showing this and listed building consent would be required in relation to this. Nevertheless, the building can function as a dwelling without the need for structural alterations, and any future internal works would be subject to a separate Listed Building Consent (if required). The merits of such alterations would be considered as relevant with any future application.

10.38 The proposed development therefore does not involve works that would affect the fabric, historic plan form, or architectural features that contribute to the building's special interest. The site is within the Cirencester South Conservation Area, which is primarily now residential in character. The limited external alterations would result in the existing appearance of the building within the street scene preserving its positive contribution to the character and appearance of the conservation area.

10.39 The change of use would result in the loss of a public house, a use that contributes to social and communal value within the conservation area, as well as part of the character and special interest of the building. The Conservation Officer highlights the importance of communal value as a contributor to heritage significance, referencing Historic England's Conservation Principles. While communal value is acknowledged, given the building's architectural and historic significance derived from its age, form, materials, and contribution to the streetscape would remain unaffected, the level of harm to the special interest of the listed building is considered to be at the lower end of less than significant. The conservation area around the site is primarily residential, following an evolving streetscene and commercial uses nearby having previously been converted to residential. The character of this part of the street is not therefore residential, with a clear change in character to the north, within the separate Cirencester Town Centre Conservation Area. As such, the harm to the Conservation Area is also considered to be at the lower end of less than substantial.

10.40 However, as identified in the section above, no buyers (either commercial or a community group) were forthcoming to run the public house. As such, whilst the loss of this as a public house is regrettable, its retention as such is not considered viable. The retention of the building in a manner which can retain as much of its built form and significance considered to provide a clear potential public benefit. With regard to the optimum viable use the planning practice guidance advises:

'If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through

necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.'

- 10.41 Limited information has been provided from the agent with regard to an assessment on its optimum viable use, but notably the use of as a dwellinghouse would not require alterations (alterations may subsequently be sought, but given the first and second floor residential accommodation it is not required).
- 10.42 The Conservation Officer suggested potential alternative community-based uses. However, in light of the marketing evidence and absence of evidenced community interest to run the pub (by way of viewings and offers) when the opportunity existed, such uses have not been shown to be realistically deliverable.
- 10.43 Reference is made by the Conservation Officer to CAMRA's "Public House Viability Test," but this is guidance rather than planning policy. The loss of the pub is considered acceptable as specified in the principal section above.
- 10.44 Given the lack of pub operation, the absence of realistic alternative community proposals, and the ability to reuse the building with minimal physical intervention, residential use constitutes an acceptable optimum viable use for the heritage asset.
- 10.45 Overall, it is considered that the proposal would secure a long term, viable use for a Grade II listed building that is unviable in its current use. It would avoid deterioration or vacancy by establishing a sustainable residential use consistent with the building's form and setting. It could also ensure continued occupation and maintenance without harmful intervention.
- 10.46 As such, whilst less than substantial harm would be caused to heritage assets, these are considered to be outweighed by the public benefits associated with the continued use of the site.
- 10.47 Given the above, the proposal is considered to comply with Local Plan Policies EN10, EN11, and EN13, and Section 16 of the NPPF.

(c) Impact on Residential Amenity

10.48 Given pubs can result in a level of noise, smells and fumes which exceed that typically expected from private residential dwellinghouses, it is considered that a change of use would not be harmful to the amenity of any neighbours.

(d) Highways

10.49 The site has existing hardstanding to the side of the property, which was used when the Public House (and B&B) were operational. It would continue to be used for the residential dwellinghouse (and B&B). As such, the impact on highway safety and parking is considered to be limited. It is also noted that given the central location of the site facilities within the town would be accessible to residents without the need for private transportation.

(e) Biodiversity and Geodiversity

10.50 As no operations development is proposed, and the nature of the existing and proposed uses, the proposal is considered not to affect any protected species or habitats. As such, it is also considered exempt from Biodiversity Net Gain requirements.

10.51 The site is within the Cotswold Beechwoods and North Meadow and Clattinger Farm Special Area of Conservation; however, whilst the pub would change use to residential, the property already had a residential use (the rooms above) and as such, it is considered there would not be a net increase in residential or additional ancillary units, it is considered that the proposal can be screened out of the requirement for Habitats Regulation Assessment.

Other Matters

10.52 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

11. Conclusion:

11.1 The proposal is considered to cause a less than substantial harm to the conservation area and listed building, which is outweighed by the public benefits associated with the active use of the building. Whilst the proposal involves the loss of a public house, as set out earlier in this report it is considered that in this location, the proposal complies with the relevant local and national

planning policies. The loss of the facility is therefore afforded neutral to limited weight.

- 11.2 The proposal does not result in the net gain of a new residential unit *per se*, because there is manager accommodation above. As such, while Paragraph 11 of the NPPF supports the proposal, it is considered to carry limited weight. Nevertheless given above in regard to the impact on protected assets and area it is considered to be complied with.
- 11.3 Overall, the proposal is considered to comply with local and national policies and as such is recommended for permission.

12. Proposed Conditions:

1. The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s): 12.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

Informatives:

1. The application hereby approved relates solely to the change of use of the building and does not grant any internal or external alterations. As the building is grade II listed, any physical works which would affect its character as a building of special architectural or historic interest would require separate listed building consent.
2. Please note that the proposed development set out in this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). A CIL Liability Notice will be sent to the applicant, and any other person who has an interest in the land, under separate cover. The Liability Notice will contain details of the chargeable amount and how to claim exemption or relief, if appropriate. There are further details on this process on the Council's website at www.cotswold.gov.uk/CIL